

# UNITED STATES DISTRICT COURT

for the  
District of South Carolina

Elder Prescott Leach,

*Petitioner*

v.

Warden, Lieber Correctional Institution,

*Respondent*

Civil Action No. 9:19-cv-01726-JMC

## SUMMARY JUDGMENT IN A CIVIL ACTION

The court has ordered that *(check one)*:

☐ the plaintiff *(name)* \_\_\_\_\_ recover from the defendant *(name)* \_\_\_\_\_ the amount of \_\_\_\_\_ dollars (\$\_\_\_), which includes prejudgment interest at the rate of \_\_\_\_ %, plus postjudgment interest at the rate of \_\_\_\_ %, along with costs.

☐ the plaintiff recover nothing, the action be dismissed on the merits, and the defendant *(name)* \_\_\_\_\_ recover costs from the plaintiff *(name)* \_\_\_\_\_.

☒ other: summary judgment is entered in favor of Respondent, Warden, Lieber Correctional Institution. Petitioner, Elder Prescott Leach, shall take nothing of Respondent as to the petition filed pursuant to 28 U.S.C. § 2241 and the petition is dismissed with prejudice. A certificate of appealability is denied.

This action was *(check one)*:

☐ tried by a jury, the Honorable \_\_\_\_\_ presiding, and the jury has rendered a verdict.

☐ tried by the Honorable \_\_\_\_\_ presiding, without a jury and the above decision was reached.

☒ decided by the Honorable J Michelle Childs, United States District Judge, presiding. The Court having Accepted the Report and Recommendation set forth by the Honorable Bristow Marchant, United States Magistrate Judge, and granted Respondent's motion for summary judgment.

Date: May 22, 2020

ROBIN L. BLUME, CLERK OF COURT

s/C.Pegram-Conner

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*